

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SOPHAL BUY, DANIEL DIXON, :
and MICHELE SIMPSON :
Plaintiffs, : 2:15-CV-00628-JAD-VCF
: :
-against- :
: : ORDER
: :
HMSHOST CORPORATION and HOST :
INTERNATIONAL, INC., :
: :
Defendants. :
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STIPULATION OF DISMISSAL

Plaintiffs Sophal Buy, Daniel Dixon, and Michele Simpson (“Plaintiffs”) previously opted into the conditionally certified collective action *Stevens v. HMSHost Corp.*, No. 10-CV-3571 (ILG) (VP). After the *Stevens* court granted Defendants’ motion for decertification, Plaintiffs brought the instant action. Additional *Stevens* opt-ins have filed individual cases across the country.

Recently, the parties in *Stevens* agreed to a global settlement in principle. The settlement will resolve, *inter alia*, this matter and all currently pending cases arising out of the *Stevens* case.

Plaintiffs and Defendants, HMSHost Corporation and Host International, Inc., do hereby stipulate that in light of the global settlement reached among the parties, this matter shall be dismissed without prejudice subject to court approval of the global settlement by the *Stevens* court, and in the event that approval is not obtained, subject to reinstatement in this Court. The parties further stipulate and agree that should this case be reinstated, the statute of limitations period for each Plaintiff who reinstates his or her case will, subject to the toll of the statute of limitations in

place while said Plaintiff was a member of the conditionally certified *Stevens* class, relate back to the date of the original filing of this action.

Respectfully submitted this 4th day of January, 2016.

By: <u>/s/ Michael H. Reed</u> Michael H. Reed KLAFTER OLSEN & LESSER LLP Two International Drive, Suite 350 Rye Brook, New York 10573 Tel: (914) 934-9200 Fax: (914) 934-9220 Leon Marc Greenberg Dana Sniegocki LEON GREENBERG PROFESSIONAL CORPORATION 2965 S. Jones Blvd Suite E-4 Las Vegas, NV 89145 Tel: (702) 383-6085 Fax: (702) 385-1827 ATTORNEYS FOR PLAINTIFFS	<u>/s/ Gregory V. Mersol</u> Gregory V. Mersol BAKER & HOSTETLER 1900 E. 9th Street, Suite 3200 Cleveland, OH 44114 Tel: (216)-621-0200 Fax: (216) 696-0740 Jeremy R. Alberts WEINBERG WHEELER HUDGINS GUNN & DIAL, LLC 6385 S. Rainbow Blvd. Las Vegas, NV 89118 Tel: (702)-938-3838 Fax: (702)-938-3864 ATTORNEYS FOR DEFENDANTS
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ORDER

Based on the parties' stipulation, IT IS HEREBY ORDERED this action is DISMISSED without prejudice, each side to bear its own fees and costs. The Clerk of Court is instructed to close this case.

Dated: January 4, 2016.



UNITED STATES DISTRICT JUDGE